

105-08 026 Rec'd PCT/PTO 04 MAY 2006

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
MCGJ101

In Re Application Of: **JOHN MCGUIRE**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/516,486 ✓	11/30/2004		21,658		

Title: **APPARATUS FOR HOLDING A CATHETER BAG**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**PETITION UNDER 37 CFR 1.181 AND STATEMENT IN SUPPORT THEREOF WITH EXHIBITS A AND B
RETURN RECEIPT POSTCARD**

in the above identified application.

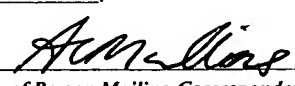
- ☐ No additional fee is required.
- ☒ A check in the amount of \$400.00 is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. as described below.
 - ☐ Charge the amount of
 - ☐ Credit any overpayment.
 - ☐ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: **MAY 4, 2006**

**DEREK H. MAUGHAN
DYKAS, SHAVER & NIPPER, LLP
PO BOX 877
BOISE, ID 83701-0877
(208) 345-1122
REG. NO. 52,007**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
MAY 4, 2006	
(Date)	
	
Signature of Person Mailing Correspondence	
AMANDA L. MULLINS VIA EXPRESS MAIL	
Typed or Printed Name of Person Mailing Correspondence	

cc: **CLIENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JOHN MCGUIRE

Group/Art Unit:

Application No.: 10/516,486

Examiner:

Filed: 11/30/04

Attorney Docket No: MCGJ101

Title: APPARATUS FOR HOLDING A
CATHETER BAG

**PETITION UNDER 37 CFR 1.181
AND STATEMENT IN SUPPORT THEREOF**

TO: Honorable Commissioner of Patents
ATTN: Catherine Short
Manager of United States Designated / Elected Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Please accept the following copies of papers, originally submitted on May 18, 2005, and move the aforementioned application onward for Examination.

Please accept the following copies of documents, attached as Exhibit A, that were submitted to the United States Patent Office on May, 18, 2005 in response to a Notification of Missing Requirements. These items are true and correct unsigned office copies of the signed papers that were sent to the Patent and Trademark Office. Please also find a stamped return receipt postcard indicating receipt of these papers in the United States Patent and Trademark Office on May 18, 2005.

After repeated attempts to determine the status of the aforementioned application, Applicant's attorney received a letter on May 2, 2006, which notified the Applicant's attorney that a review of the aforementioned application file fails to show the presence of any Response to a Notification of Missing Requirements.

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400.00 QP

This notification then indicated that if examination of the application was desired that the Applicant must prepare and file this petition to accept copies of this previously filed Response. A copy of this letter is attached as Exhibit B.


This petition and submission is made pursuant to the instructions set forth in Exhibit B, and the petition fee of \$400.00 is included pursuant to 37 CFR 1.182. Applicant's attorney believes that this petition is proper and requests acceptance thereof.

Applicant's attorney also respectfully submits that in as much as the copies now being provided are done to replace the originals that were previously and timely received by the Patent and Trademark Office, but have apparently been misplaced, that the fee for this petition to place copies of these previously submitted items into this file, should either be waived or refunded back to the Applicant.

Applicant respectfully requests that this petition be granted, that the items in Exhibit A are accepted into the application file and that the application be allowed to pass on for Examination. If you have any questions or concerns in this matter, please feel free to contact me.

DATED This 4th day of May, 2006.

Respectfully Submitted,


DEREK H. MAUGHAN
Reg. No. 52,007
Phone: 208-345-1122

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as United States Express Mail Post Office to Addressee Service (#EV638767717US)] in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

DATE: May 4, 2006



Amanda L. Mullins

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

MC

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/516,486

INTERNATIONAL APPLICATION NO.
PCT/GB03/01923INTERNATIONAL FILING DATE
05/02/2003PRIORITY DATE CLAIMED
05/31/2002

TITLE OF INVENTION

APPARATUS FOR HOLDING A CATHETER BAG

APPLICANT(S) FOR DO/EO/US
JOHN MCGUIRE

COPY

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EL987114140US
23. ☐ Other items or information:

EL987114140US



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TRANSMITTAL LETTER
(General Patent Pending)

Docket No.
MCGJ101

In Re Application Of: MCGUIRE

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/516,486			21658		2842

Title: APPARATUS FOR HOLDING A CATHETER BAG

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

TRANSMITTAL LETTER TO US DESIGNATED/ELECTED OFFICE
COPY OF NOTIFICATION OF MISSING REQUIREMENTS
DECLARATION AND POWER OF ATTORNEY
RETURN RECEIPT POSTCARD

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Dated: MAY 18, 2005

Signature

DEREK H. MAUGHAN
DYKAS, SHAVER & NIPPER, LLP
PO BOX 877
BOISE, IDAHO 83701-0877
(208) 345-1122

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MAY 18, 2005
(Date)

Signature of Person Mailing Correspondence

JULIE O'TYSON via EL987114140US

Typed or Printed Name of Person Mailing Correspondence

cc: CLIENT

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Transmittal letter to the U.S. Designated/Elected Office, Copy
of Notification of Missing Requirments, Delcaration and
Power of Attorney, General Transmittal with Certificate of
Mailing by Express Mail #EL987114140US

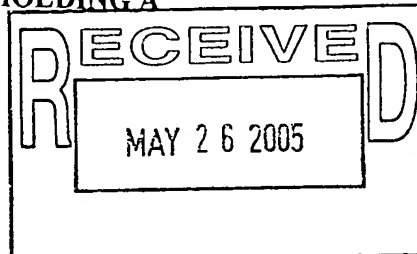
Applicant: MCGUIRE

Invention: APPARATUS FOR HOLDING A
CATHETER BAG

Serial #: PCT/GB03/01923

Our File: MCGJ101

Date: May 18, 2005



JC02 Rec'd PCT/PTC 18 MAY 2005

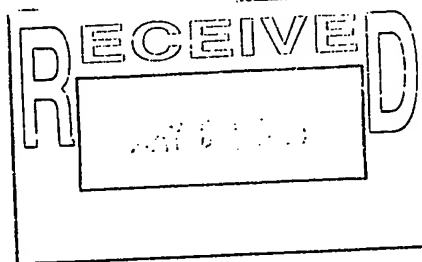
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United States Patent and Trademark Office

27 APR 2006

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov



Derek D. Maughan
DYKAS, SHAVER & NIPPER, L.L.P.
Post Office Box 877
Boise, Idaho 83701-0877

Dear Mr. Maughan:

This is in response to your request received 24 February 2006¹ inquiring about the status of U.S. patent application number 0/516,486. The Office electronic records and a manual review of the application file show no record of a response to the Notification of Missing Requirements allegedly filed 18 May 2005. Should prosecution of the application be desired, applicant should file a petition under 37 CFR 1.181 requesting the Office to accept copies of all the papers submitted on 18 May 2005 along with evidence of receipt of these papers in the Office on the date indicated above. The request should also contain a statement from the attorney of record indicating that these copies are true copies of the papers previously submitted to this Office. The request should be sent to the attention of Catherine Short, Manager of the United States Designated/Elected Office.

Sincerely,

Nguyễn Ngọc-Hồ
Paralegal Specialist
PCT Legal Office

Tel: (571) 272-3290

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